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18 SILVEIRA, GABRIEL SILVEIRA, AND  
19 S & S DRYWALL, INC.

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

16 GILDARDO OSORIO, RUBERTO ) Case No. CV11-03890  
17 INFANTE SOLIS, ELIONAI )  
18 GONZALES, MARIN CORTEZ, )  
19 ENRIQUE REINOSO, GUILLERMO )  
20 RIOS, and GERARDO DAMIAN, )  
21 Plaintiff, )  
22 Vs. )  
23 MARIA SILVERA dba S&S )  
24 DRYWALL, GABRIEL SILVERA dba )  
25 S&S DRYWALL; S&S DRYWALL, )  
INC., )  
Defendant(s). )  
\_\_\_\_\_  
NOTICE OF SETTLEMENT, AND  
STIPULATION AND ORDER  
DISMISSING ENTIRE ACTION  
WITHOUT PREJUDICE  
Judge: Honorable Lucy H. Koh

1           The parties herein, by and through their respective counsel of record, James Dal Bon,  
2 Esq. , DUNN, DAL BON & MARGIN, for Plaintiffs GILDARDO OSORIO, RUPERTO  
3 INFANTE SOLIS, ELIONAI GONZALEZ, MARIN CORTEZ, ENRIQUE REINOSO,  
4 GUILLERMO RIOS, GERARDO DAMIAN, ALFONSO GARCIA RICO, GUADALUPE  
5 PONCE, JORGE GARCIA, FELIX JIMENEZ, JUAN HERNANDEZ, EFRAIN RODRIGUEZ,  
6 CRISTOBAL ACOSTA, JOSE MEDEIROS, (hereinafter collectively “Plaintiffs”), and Daniel  
7 G. Herns, Esq., LAW OFFICES OF DANIEL G. HERNS, for Defendants MARIA SILVEIRA,  
8 GABRIEL SILVEIRA, S & S DRYWALL, INC., S & S DRYWALL LIMITED, ESPRESSO  
9 CONSTRUCTION CLEAN-UP SERVICE, (hereinafter collectively “Defendants”) and, with the  
10 authority of their respective clients, stipulate as follows:

11 **NOTICE OF SETTLEMENT**

12           1. On November 14, 2012 the parties attended a Settlement Conference wherein the  
13 parties agreed that the above captioned action, including all claims, counterclaims, and  
14 affirmative defenses be dismissed without prejudice .

15 **THEREFORE, THE PARTIES HEREBY STIPULATE THAT:**

- 16           2. The Court should enter an Order dismissing the entire action as to all  
17           Parties without prejudice.
- 18           3. Defendants shall have until April 15, 2012 to submit full payment in settlement of all  
19           claims.
- 20           4. The parties request that the Court retain jurisdiction to enforce the settlement agreement  
21           by issuing an Order to retain jurisdiction to enforce the settlement agreement.
- 22           5. Each party shall bear their own costs of litigation and attorneys’ fees.

23           //

24           //

1 Dated: November 30, 2012

2 DUNN, DAL BON & MARGAIN

3  
4 By \_\_\_\_\_ /s/ jdb \_\_\_\_\_.  
5 JAMES DAL BON  
6 ATTORNEY FOR PLAINTIFFS

7 Dated: November 30, 2012

8 LAW OFFICES OF DANIEL G. HERNS

9 By \_\_\_\_\_ /s/ dgh \_\_\_\_\_.  
10 DANIEL G. HERNS  
11 ATTORNEY FOR DEFENDANTS

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

GILDARDO OSORIO, RUBERTO INFANTE SOLIS, ELIONAI GONZALES, MARIN CORTEZ, ENRIQUE REINOSO, GUILLERMO RIOS, and GERARDO DAMIAN,

CASE NO. CV11-03890

## ORDER

**Plaintiff,**

Vs.

MARIA SILVERA dba S&S  
DRYWALL, GABRIEL SILVERA dba  
S&S DRYWALL; S&S DRYWALL,  
INC..

**Defendant(s).**

## ORDER

1. The Court hereby issues an order dismissing without prejudice the entire action as  
to all parties. The parties shall file a stipulation of dismissal with prejudice by May 1, 2013.  
The Clerk shall close the file.

IT IS SO ORDERED.

Dated: November 30, 2012

*Lucy H. Koh*

HONORABLE LUCY H. KOH